

From: Corn Walker
To: Microsoft ATR
Date: 12/13/01 1:45pm
Subject: Reevalue Microsoft Settlement

Atty. General Ashcroft,

As a citizen of the United States of America I am thankful for our judicial system and its ability to bring about resolution to increasingly complex matters. However, given the findings of fact by the courts, it is difficult for me to comprehend how greatly disproportionate the penalties and remedies are as proposed by the US Department of Justice and accepted by some of the other states bringing suit. It seems to be clear to the courts that the actions of the Microsoft Corporation violated both the letter and the spirit of the law and constituted monopolistic and predatory behavior. As with any other company engaging in monopolistic behavior, the penalty and remedies proposed should be severe given the nature of the crimes. The current Microsoft/DOJ settlement does not give us that, and in some cases appears to actually work against the victims of Microsoft's monopolistic behavior. This is the third time Microsoft has been to court for anti-trust allegations. It is clear that the "slap on the hand" approach is not working to remedy their behavior. The proposed settlement is worse than a slap on the hand - it perpetuates Microsoft's monopoly and in some cases will actually stifle competition. Clearly the American consumer does not benefit from the current settlement proposal. While I don't believe the proposal from the nine dissenting states is necessarily the best remedy, I do believe an appropriate settlement should include both corrective and punitive actions. The purpose of the judicial system is not simply to say, "Don't do that again," it is to provide punitive measures to prevent a company from engaging in similar behavior. Without real punitive measures there is no force of the law to prevent Microsoft from engaging in the same behaviors it always has. It is for these reasons that I urge you to reevaluate and withdraw the settlement proposal and pursue more appropriate corrective remedies and penalties to prevent Microsoft and other like corporations from engaging in destructive and anti-competitive behavior.

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